



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

March 16, 2020

Mr. Albert DiMarco  
Assistant General Counsel  
Texas Department of Public Safety  
P. O. Box 4087  
Austin, Texas 78773-0001

OR2020-08206

Dear Mr. DiMarco:

You ask whether certain information is subject to required public disclosure under the Public Information Act (the "Act"), chapter 552 of the Government Code. Your request was assigned ID# 818050 (PIR No. 20-0091).

The Texas Department of Public Safety (the "department") received a request for the "closed circuit video" from a specified bus accident. Although the department takes no position as to the disclosure of the requested information, you state that release of this information may implicate the interests of the Norman Public School District (the "district"). Accordingly, you state you have notified the district of the request and of the opportunity to submit comments to this office as to why the information should not be released to the requestor. *See* Gov't Code § 552.304 (providing interested party may submit comments stating why information should or should not be released). We have received comments from the district. We have considered the submitted arguments.

We note the requested information was the subject of a previous request for information, as a result of which this office issued Open Records Letter No. 2019-10874 (2019). We have no indication there has been any change in the law, facts, or circumstances on which the previous ruling was based. Accordingly, the department must rely on Open Records Letter No. 2019-10874 as a previous determination and withhold the identical information in accordance with that ruling.<sup>1</sup> *See* Open Records Decision No. 673 (2001) (so long as law, facts, and circumstances on which prior ruling was based have not changed, first type of previous determination exists where requested information is precisely same information as was addressed in prior attorney general ruling, ruling is addressed to same governmental body, and ruling concludes that information is or is not excepted from disclosure).

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<sup>1</sup> As we are able to make this determination, we need not address the district's arguments against disclosure.

This letter ruling is limited to the particular information at issue in this request and limited to the facts as presented to us; therefore, this ruling must not be relied upon as a previous determination regarding any other information or any other circumstances.

This ruling triggers important deadlines regarding the rights and responsibilities of the governmental body and of the requestor. For more information concerning those rights and responsibilities, please visit our website at <https://www.texasattorneygeneral.gov/open-government/members-public/what-expect-after-ruling-issued> or call the OAG's Open Government Hotline, toll free, at (877) 673-6839. Questions concerning the allowable charges for providing public information under the Public Information Act may be directed to the Cost Rules Administrator of the OAG, toll free, at (888) 672-6787.

Sincerely,

Michelle Garza  
Assistant Attorney General  
Open Records Division

MG/be

Ref: ID# 818050

Enc. Submitted documents

c: Requestor  
(w/o enclosures)

1 Third Party  
(w/o enclosures)